

KING & SPALDING

King & Spalding LLP
50 California Street
Suite 3300
San Francisco, CA 94111

Kenneth L. Steinthal
Direct Dial: +1 415 318 1211
ksteinthal@kslaw.com

January 17, 2023

VIA ECF

Hon. John G. Koeltl
United States District Judge for the Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007-1312

Re: Kaplan v. Comedy Partners, No. 1:22-CV-09355-JGK
Consent Letter-Motion for Adjournment of Pre-Motion Conference

Dear Judge Koeltl,

We represent defendant Comedy Partners in the above-captioned matter. Pursuant to Rule I.E of the Court's Individual Practices, we write jointly with Plaintiff's counsel to request a one-month adjournment of the parties' pre-motion conference, which is presently scheduled for January 18, 2023 at 12:00 p.m. We appreciate that this request is less than 48 hours before the conference date, but the parties arrived at an agreement on this approach only a short while ago today.

Plaintiff Michael Kaplan filed his Complaint on November 1, 2022 and served Comedy Partners on November 18, 2022. On December 6, 2022, Comedy Partners filed a consent letter-motion requesting an extension of time to respond to the Complaint, which the Court granted. On January 9, 2023, Comedy Partners filed a letter-motion requesting that the Court convene a pre-motion conference. The Court granted the January 9 letter-motion and scheduled a pre-motion conference for January 18, 2023 at 12:00 p.m.

In anticipation of that conference, the parties have met and conferred regarding the Complaint's allegations and related data in the parties' possession. As a result of those discussions, the parties believe that an informal exchange of data may facilitate early resolution of this matter or alternatively narrow the issues for the Court to decide in Comedy Partners' challenges to the Complaint. We therefore respectfully request a one-month adjournment of the pre-motion conference to allow for such further discussions between the parties to proceed without incurring potentially unnecessary litigation costs (and unnecessarily burdening the Court).

The instant letter-motion is Comedy Partners' first requested adjournment of the pre-motion conference. There are no other scheduled dates in this action.

Thank you for consideration of this matter.

Respectfully,

*Conference adjourned to 2/23/23 at 2:30 p.m.
1/17/23, so ordered.
JGC/Koeltl/U.S.D.J.*

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/s/ Kenneth L. Steinthal

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cc: All Counsel (via ECF)